

# EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

IN RE: SANTA FE NATURAL TOBACCO  
COMPANY MARKETING, SALES  
PRACTICES, AND PRODUCTS LIABILITY  
LITIGATION

Lead Case No. 1:16-md-02695 JB/LF

*This Document Relates To All Actions*

**PLAINTIFFS' SECOND SET OF INTERROGATORIES TO  
SANTA FE NATURAL TOBACCO COMPANY**

PLAINTIFFS, pursuant to Fed. R. Civ. P. 33, hereby request that Defendant, Santa Fe Natural Tobacco Company, respond to the following Interrogatories in accordance with the requirements and procedures set forth in the Federal Rules of Civil Procedure, Local Rules, and Court's Order.

As used in these Interrogatories, the following terms have the following meanings.

A. "You" and "your" and "SFNTC" refer to Defendant, Santa Fe Natural Tobacco Company, including (as may apply depending upon the time frame of a given request), its parent and subsidiary companies, its predecessors-in-interest, its successors-in-interest, its executives, officers, agents, and employees and any other person acting on its behalf, including attorneys.

B. "American Spirits" or "Product" refers to Natural American Spirit brand cigarettes placed in the stream of commerce within the United States at any time, including all packings and line extensions.

C. Unless otherwise specified, all requests are limited to information pertaining to the manufacture, marketing, and sale of American Spirits within the United States.

D. Unless a request contains a specific time limitation, it is meant to elicit information from the inception of American Spirits to the date of your response.

E. "Person" or "persons" include a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.

**SECOND SET OF INTERROGATORIES**

20. Because SFNTC's designated corporate representative was not generally familiar with SFNTC's pre-2009 consumer marketing studies (SFNTC/C. Leslie Dep. 7/24/18 at 35:2-8), please identify every consumer marketing study conducted by SFNTC or by anyone else at its direction or on its behalf between 1/1/2000 and 12/31/2008 and describe for each (i) the title or name of the study, (ii) the objective of the study, (iii) the methods employed in carrying out the study, (iv) the conclusions of the study, and (v) state whether all documents related to this study have been produced to Plaintiffs in this litigation.

21. Because SFNTC's designated corporate representative could not answer these questions at deposition (SFNTC/K. Calderon, 9/27/18 at 310-314), please state with respect to Exhibit 43 to the deposition: (i) Scott Peddycord's title, (ii) whether marketing costs/expenditures are included in (a) total variable costs, (b) total fixed costs, and/or (c) the "\$ per 1000" calculation, and (iii) if marketing costs/expenditures are included, please set forth the marketing cost/expenditure amount used in the calculation for Santa Fe Domestic and RJRT Domestic for each of the reported years.

22. If marketing costs were not included in the calculation of total variable costs, total fixed costs, or "\$ per 1000" in Exhibit 43 described in the preceding interrogatory, please set forth the marketing cost/expenditures for Santa Fe Domestic and RJRT Domestic for each of the years reported in Exhibit 43.

23. With respect to page four of Bates No. SF\_MDL01251392, please **(i)** define each of the "key cost metrics" identified for RJRT and SFNTC (specifically (a) "Total product cost" (b) "Cost to market" and (c) "Cost to run"), and **(ii)** identify the components of each key cost metric, i.e., identify each of the costs aggregated to arrive at the figure set forth for each metric.

24. With reference to Bates No. SF\_MDL00594984, please provide corresponding information for each NAS domestic brand style covering the entire period 6/1/2009 to 6/1/2018, i.e., identify for each brand style for each point in time **(i)** product/brand identity, **(ii)** blend, **(iii)** cigarette paper, **(iv)** tipping paper, **(v)** filter type, **(vi)** filter materials, **(vii)** tow, **(viii)** plasticizer, **(ix)** charcoal, **(x)** menthol/sepiolite, **(xi)** plugwrap (finished rod), **(xii)** plugwrap (mouth end), **(xiii)** plugwrap (tobacco end), **(xiv)** lap glue line (finished rod), **(xv)** lap glue line (mouth end), **(xvi)** lap glue line (tobacco end), **(xvii)** internal glue line (finished rod), **(xviii)** internal glue line (mouth end), **(xix)** internal glue line (tobacco end), **(xx)** anchor glue line, **(xxi)** seam adhesive, **(xxii)** tipping adhesive, and **(xxiii)** thunderbird logo ink.

25. Please state whether sugar is added in the manufacturing process or development of any domestic brand of Natural American Spirit cigarettes. If so, please **(i)** describe the process and manufacturing stage at which sugar is added **(ii)** including the amount of sugar and, the type of sugar, **(iii)** the effect you know or believe the addition of such sugar has on the chemical composition of mainstream smoke; and **(iv)** the amount or volume of sugar that is delivered in the mainstream smoke.

26. Please state whether sugar is present in any domestic brand of Natural American Spirit cigarettes following the manufacturing process or development of the cigarettes. If so, please **(i)** state the amount of sugar that is present, and **(ii)** the amount or volume of sugar that is delivered in the mainstream smoke.

27. Please state whether the amount of sugar(s) present in the Virginia/bright/flue-cured tobacco used in domestic NAS cigarette blends **(i)** is greater or less in absolute terms after flue curing than before the flue-curing process is begun, and **(ii)** whether it is greater or less as a percentage of weight of the leaf after flue curing than before the flue-curing process is begun.

28. Do you monitor the amount of sugar (polysaccharides, starches, or any other constituents) contained in the cigarettes in any domestic brand of Natural American Spirit cigarettes?

29. For the period 1/1/2000 through the present, please **(i)** describe the stage in the manufacturing process or pre-manufacturing process of domestic NAS brands at which you monitor or measure the levels of nicotine, sugar, or any other chemical constituents in the tobacco leaf, **(ii)** describe the methods used to monitor, measure, or adjust those chemical constituents, and **(iii)** describe the equipment used to make such determinations.

30. In the manufacturing process of cigarettes in any domestic brand of Natural American Spirit Cigarettes, do you control, maintain, modify, add or reduce the amount of sugar, polysaccharides, starches, or any other chemical constituents contained in the cigarettes? If so, please describe in what way you do so and whether (and how) the answer varies by domestic NAS brand.

Dated: October 31, 2018

/s/Melissa S. Weiner

Melissa S. Weiner  
**Pearson, Simon & Warshaw, LLP**  
800 LaSalle Avenue, Suite 2150  
Minneapolis, MN 55402  
Telephone: (612) 389-0600  
Facsimile: (612) 389-0610  
[mweiner@pswlaw.com](mailto:mweiner@pswlaw.com)

Scott P. Schlesinger  
**Schlesinger Law Offices, P.A.**  
1212 SE 3<sup>rd</sup> Avenue  
Fort Lauderdale, FL 33316  
Telephone: (954) 467-8800  
[scott@schlesingerlaw.com](mailto:scott@schlesingerlaw.com)

*Counsel for Plaintiffs*